IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11220 of 2005

Between:

Mohd. Subhan Ghouri S/o. Md. Jamal Ghouri, Father of Md.

Omar Ghouri, R/o. H.No. 20-7-480, Taleem Mallad, Fateh

Darwaza, Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by the Principal

Secretary, Home Department, Secretariat, Hyderabad
2 The Director General of Police, Government of Andhra

Pradesh, Saifabad, Hyderabad
3 The Commissioner of Police, Government of Andhra

Pradesh, Hyderabad

4. The Deputy Commissioner of Police, Task Force, Begumpet,

Hyderabad.
5 The Station House Officer, Hussaini Alam Police Station,

Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Habeas Corpus directing the respondents to forthwith produce the victim Mr. Mohd. Omer Ghouri, Son of Mohd. Subhan Ghouri, age 22 years befofre this Honourable Court or in the concerned Magistrate Court and set him to liberty.

For the Petitioner: Mr.Asadulla Shareef, Advocate.

For the Respondents: GP for Home.

The Court at the stage of admission made the following:

ORDER: (per Sri B. Sudershan Reddy, J)

In the counter affidavit filed by the Inspector of Police, East Zone, Task Force, it is inter alia stated that the Task Force Police summoned the alleged detenu on 10-05-2005 on suspicion that he was in possession of firearm without licence. On questioning, the alleged detenu denied the possession of firearm and accordingly, he was allowed to leave the police station. The alleged detenu left the office along with his father on the very same day and residing with his father at his place of residence. The petitioner's father has given written acknowledgment to the effect that the alleged detenu was taken away by him on 10-05-2005 from the police station after questioning by the police.

These averments made in the counter affidavit remain unrebutted. The respondents have made available a copy of the letter addressed by the alleged detenu's father proposing to withdraw the writ petition.

Viewed from any angle, we find no merit in this writ petition requiring our interference in the matter.

The Writ Petition fails and shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

06-06-2005

(Ramesh Ranganathan, J)

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To

1. The Principal Secretary, Government of Andhra Pradesh, Home Department, Secretariat, Hyderabad

2. The Director General of Police, Government of Andhra

Pradesh, Saifabad, Hyderabad

3 The Commissioner of Police, Government of Andhra

Pradesh, Hyderabad

4. The Deputy Commissioner of Police, Task Force, Begumpet,

Hyderabad.

5 The Station House Officer, Hussaini Alam Police Station,

Hyderabad

5. Two CCs to the Government Pleader for Home, High Court Buildings, Hyderabad

6. Two CD copies